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FOR NEA/ARP

E.O. 12958: DECL: 2019/12/28
TAGS: [PHUM](#) [PREL](#) [PGOV](#) [PINR](#) [CASC](#) [AE](#)
SUBJECT: Sheikh Issa Torture Trial Update

REF: ABU DHABI 707; ABU DHABI 695; ABU DHABI 605; ABU DHABI 553
ABU DHABI 481; ABU DHABI 423; STATE 114479; STATE 52186; STATE 43058

CLASSIFIED BY: Richard Olson, Ambassador; REASON: 1.4(B), (D)

¶1. (SBU) Summary. The trial of Sheikh Issa bin Zayed Al Nahyan, seventh son of UAE founder Sheikh Zayed and half-brother of President Khalifa bin Zayed, that began in October adjourned December 21 after a forensic medical expert testified that a combination of medications could have affected his behavior. Sheikh Issa is charged with endangering a life, causing physical harm, and rape for the 2004 torture of an Afghan commodities trader who he alleges cheated him in a grain deal. A video recording of the incident broadcast on US television in April 2009 prompted Sheikh Issa's unprecedented arrest and detention in May (reftels). Sheikh Issa is expected to return to court January 10, 2010 for the verdict. End Summary.

¶2. (SBU) The trial in Al Ain Criminal court began quietly in October 2009 and involved several hearings during which forensic experts and witnesses to the events caught on tape gave testimony. In addition to Sheikh Issa, among the seven defendants in the case are American citizen Bassam Nabulsi and his brother Ghassan, former business partners involved in a protracted financial dispute with the Sheikh. The Nabulsi brothers could be convicted in absentia and face arrest upon arrival should they return to the UAE. Court proceedings refer to the uniformed security guard on the video as "defendant number four"; defendant number five is a Nepalese man present during the events; and defendants six and seven are unidentified individuals present at the scene.

¶3. (C) According to a journalist who has attended the hearings, Sheikh Issa first appeared in court December 14 when his attorney unveiled the defense strategy claiming the Nabulsi brothers manipulated him with numerous medications and filmed the events in order to blackmail him. Sheikh Issa's attorney argued that Ghassan Nabulsi had been "controlling" the Sheikh with a variety of pharmaceuticals and somehow staged the filmed abuse of the Afghan Mohammed Shah Poor. The judges adjourned December 21 after requesting Sheikh Issa's medical records and the final testimony from a forensics expert as to the potential effects of "drugs for dancing", presumably MDMA, better known as ecstasy.

¶4. (SBU) Sheikh Issa's attorney said the Afghan grain dealer, Mohammed Shah Poor, and Sheikh Issa agreed to an informal financial settlement in 2004 as compensation for the Afghan's injuries. In November 2009, Shah Poor filed two separate lawsuits in UAE courts seeking compensation from the Nabulsi brothers for their role in making and distributing the videotape of his abuse. Shah Poor remains in the UAE and attended the trial. Predating the UAE legal action, Bassam Nabulsi sued for damages in Texas, claiming that Sheikh Issa had him arrested in the UAE in 2005, detained three

months, and tortured after threatening to release the video.
OLSON